

## Is a Criminal Record Holding You Back?



### What Should I Do?

Expungement is a process that allows all eligible offenders to apply to have their records sealed. Sealing a record means that your criminal conviction will be cleared and your record sealed from the public. However, law enforcement agencies, prosecutors, and other agencies can look at your sealed record; and if you commit another crime, your sealed record can still be used against you in sentencing.

#### Ineligible Offenses

- ♦ Those involving a mandatory prison term
- ♦ Any first or second degree felony
- ♦ Any sex offenses
- ♦ Violent offenses that are either felonies or first-degree misdemeanors\*
- ♦ Where the victim is under 18 years old\*\*

\*Exception: 1st Degree Misdemeanor Assault

\*\*Exception: Criminal Non-Support Cases

#### Am I Eligible?

Eligible Offender includes anyone who...

- ♦ Has only **ONE FELONY**
- ♦ Has **TWO MISDEMEANORS**
- ♦ Has **ONE MISDEMANOR & ONE FELONY**

Special Rules:

- ♦ When two or more convictions result from or are connected with the same act **or** result from offenses committed at the same time, they are counted as one conviction.
- ♦ When two or three convictions result from the same indictment, information, complaint, guilty plea, or official proceeding and are the result of related criminal acts committed within a 90 day period, they are counted as one conviction.

#### How Long Do I Have to Wait?

- ♦ For felonies: three years from final discharge\*
- ♦ For misdemeanors: one year from final discharge\*

\*Final Discharge: after you have completed any sentence, probation, community service, and paid all fines

#### Where Do I Start?

1. Obtain an expungement form online or from the court and fill it out
  - a. For **Felonies**: Franklin County Common Pleas Clerk of Courts, 345 S. High Street, Columbus, Ohio 43215.
  - b. For **Misdemeanors**: Franklin County Municipal Court, 375 S. High Street 2nd Floor, Columbus, Ohio, 43215.
2. File the completed application with the filing fee of \$50 with the respective court.
3. A review of your application for completeness and a record check will be performed by the court staff.
4. Application and related information is sent to the Prosecutor.
5. **If the Prosecutor AGREES that the offender is eligible**: the prosecutor and Judge sign off on the sealing and the record is then turned over to the Clerk of Courts where your record will be sealed.
6. **If the Prosecutor DISAGREES and files an objection**: a hearing is scheduled with the judge in the most recent case. At the hearing the judge will agree, deny, or allow the sealing.

#### [ For More Help ]

**Franklin Co. Reentry Coalition**  
www.franklincountyreentrycoalition.com

**Legal Aid Society of Columbus**  
1108 City Park Ave.  
Columbus, OH 43206  
614.241.2001

**Ohio Legal Services**  
www.ohiolegalservices.org/  
public/legal\_problem/reentry/  
expungement-eligibility-  
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